

UNITED STATES DISTRICT COURT
DISTRICT OF WESTERN TENNESSEE

-----X
UNITED STATES OF AMERICA :

-VS-

**MOTION REQUESTING
ADJOURNMENT OF SENTENCING**

203cr20094

DAVID HERNANDEZ

Defendant, ;

X Hon. McCalla

ROBERT R. DI TROLO
CLERK, U.S. DIST. CT.
W.D. OF TENNESSEE

05 MAY -5 AM 10:18

FILED BY [Signature] D.C.

To the Honorable Court,

PLEASE TAKE NOTICE, that I, Carlos Perez-Olivo the attorney for the above named individual, will unfortunately not be able to attend the above matter, that has been scheduled for Friday, May 6th, 2005, due to the fact that I was scheduled to return back to New York today May 5th, from a vacation that I am on in Puerto Rico with my family, but due to a severe Vertigo attack I had today that stems from my Meniere's Disease. I was advised not to fly today but instead to wait a day or two extra until I am better to travel. For this reason I unfortunately will not be able to travel to Tennessee in time for this matter. I apologize to this Honorable Court for my absence tomorrow and I respectfully request that you adjourn this matter to any date in June your Honorable Court wishes to assign.

Dated: Kew Gardens, NY
May 5th, 2005

Respectfully Submitted,

MOTION GRANTED

Reset To Friday
June 3, 2005
at 8:45 am

[Signature]
JON PHIPPS MCCALLA
U.S. DISTRICT JUDGE

May 5, 2005
/DATE

[Signature]
Carlos Perez-Olivo

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- cc. Joseph Murphy
Assistant United States Attorney
- cc. Judy B. Palmer
U.S. Probation Officer



Notice of Distribution

This notice confirms a copy of the document docketed as number 109 in case 2:03-CR-20094 was distributed by fax, mail, or direct printing on May 5, 2005 to the parties listed.

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Honorable Jon McCalla
US DISTRICT COURT